

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1975/P4dn
JTK&MED:cjs:ph

April 18, 2013

Representative Knodl:

1. This draft is the initial draft of your items 2, 3, 4, 6, 7, 8, 9, 10, 11, 14, 15 (all components), 16, 17, 19, 22, 24, 25, 27, 28, and 34. We are working on other items at this time and will be reviewing them with the DWD legal staff. The other items will be added in successive redrafts when we have all the information we need to reduce them to draft format.

2. The instructions for proposed s. 108.04 (2) (g) provide that if a claimant to whom security credentials are assigned divulges the credentials to another person, or fails to take adequate measures to protect the credentials from being divulged to an unauthorized person, the claimant is strictly liable for any benefits erroneously paid as a result of that action. As we discussed, this language has been revised to say simply that the department is not obligated to pursue recovery of these benefit payments and has no liability to reimburse the claimant for the benefits that were erroneously paid to another person. Please let us know if this language does not capture your intent.

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